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October 1, 2013

VIA THE COURT'S ELECTRONIC CASE FILING SYSTEM

The Honorable Matthew W. Brann
U.S. District Court for the Middle District of Pennsylvania
U.S. Courthouse and Federal Office Building
240 West Third Street
Suite 218
Williamsport, PA 17701

Re: Columbia Gas Transmission, LLC v. 1.01 Acres, more or less in Penn Township,
owned by Dwayne P. Brown and Ann Brown, Case No. 4:13-cv-00778

Dear Judge Brann:

I am writing in regard to the above-referenced case. This case involves the condemnation of certain property rights (the "Easements") in connection with Columbia Gas Transmission, LLC's ("Columbia") replacement of a portion of a natural gas line in York County, designated as Line 1655 (the "Pipeline"). Columbia is replacing the Pipeline to meet rigorous standards of pipeline safety. Docket No. 1, ¶ 14.

On May 24, 2013, Columbia filed a Motion for Partial Summary Judgment and for Immediate Possession of the Easements. Docket No. 12. In its motion, Columbia requested immediate possession of the Easements, prior to a determination on just compensation, in order to complete construction on the Pipeline before winter. Docket No. 13-1 ¶¶ 15-16. On June 14, 2013, Dwayne P. and Ann Brown (the "Browns") filed an opposition to Columbia's Motion for Partial Summary Judgment, as well as their own Motion for Summary Judgment. Docket Nos. 19 and 20. The parties' motions are currently pending.

Following a case management conference on July 8, 2013, the Court entered an order allowing limited discovery for 60 days. Docket No. 27. During the discovery period, the Browns sought the production of two documents, which Columbia promptly produced. See Docket No. 30-3. On August 14, 2013, the Browns issued a 30(b)(6) deposition notice to Columbia for a deposition outside the discovery period. See Docket No. 30-4. That same day, the Browns filed a Motion to Enlarge Discovery Deadlines. Docket No. 28. Columbia filed an opposition to the Motion to Enlarge Discovery Deadlines on August 26, 2013. Docket No. 30. Discovery closed on September 7, 2013. The Browns' motion is currently pending. For the reasons stated in Columbia's opposition, the Browns' Motion to Enlarge Discovery Deadlines should be denied and Columbia's Motion for Partial Summary Judgment and for Immediate Possession of the Easements is ready for the Court's review.

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Columbia is in the midst of construction on the Pipeline. Columbia needs immediate possession of the Easements on the Browns' property in order to complete work on this critical energy infrastructure in York County prior to winter and ensure continued safe operation of the Pipeline. Columbia respectfully requests that the Court consider one of the following possibilities in order to promptly resolve this matter: (1) schedule an immediate hearing on the parties' pending motions; (2) refer the parties' pending motions to a magistrate judge for prompt resolution; or (3) order mandatory alternative dispute resolution pursuant to Local Rule 16.7.

Thank you for your attention to this matter.

Respectfully,



Courtney S. Schorr

cc: Michael Faherty, counsel for Dwayne P. and Ann Brown (via ECF and U.S. Mail)
M. Melissa Glassman
John D. Wilburn

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